

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. MJ11-09
)	
v.)	DETENTION ORDER
)	
HORACE MITCHELL, III,)	
)	
Defendant.)	

Offense charged:

Conspiracy to Acquire a Controlled Substance by Fraud.

Date of Detention Hearing: January 11, 2011.

The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

Defendant poses a clear danger to the community by his continued criminal conduct, possession of controlled substance and possession of identification materials to get prescription

1 drugs. The defense argues the defense is innocent. However, there is evidence defendant and
2 his co-defendant are both involved in the alleged offenses. Additionally, both were charged with
3 similar offenses last November in the State of Oregon. The Court also finds defendant is a flight
4 risk. Defendant has drug use problems, has violated conditions of release ordered by an Oregon
5 Court, such as having contact with his co-defendant, possession of a firearm and leaving his
6 residence without being supervised.

7 It is therefore ORDERED:

8 (1) Defendant shall be detained pending trial and committed to the custody of the
9 Attorney General for confinement in a correctional facility separate, to the extent practicable,
10 from persons awaiting or serving sentences, or being held in custody pending appeal;

11 (2) Defendant shall be afforded reasonable opportunity for private consultation with
12 counsel;

13 (3) On order of a court of the United States or on request of an attorney for the
14 Government, the person in charge of the correctional facility in which Defendant is confined
15 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
16 connection with a court proceeding; and

17 (4) The clerk shall direct copies of this order to counsel for the United States, to
18 counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services
19 Officer.

20 DATED this 11th day of January, 2011.

21 

22 BRIAN A. TSUCHIDA
23 United States Magistrate Judge